10989

TREATIES AND OTHER INTERNATIONAL ACTS SERIES 10989

DEFENSE

International Military Education and Training (IMET)

Agreement Between the
UNITED STATES OF AMERICA
and TRINIDAD AND TOBAGO

Effected by Exchange of Notes
Dated at Port of Spain December 29, 1983
and November 16, 1984

with

Aide Memoire

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S9.10:

NOTE BY THE DEPARTMENT OF STATE

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TRINIDAD AND TOBAGO

Defense: International Military Education and Training (IMET)

Agreement effected by exchange of notes
Dated at Port of Spain December 29, 1983 and November 16, 1984;
Entered into force November 16, 1984.
With aide memoire.

The American Embassy to the Ministry of External Affairs of Trinidad and Tobago

No. 183

The Embassy of the United States of America presents its compliments to the Ministry of External Affairs of the Republic of Trinidad and Tobago and has the honor to refer to certain requirements of United States law concerning the provision of training related to defense articles under the United States International Military Education and Training (IMET) Program.

The provisions of United States law in question prohibit the furnishing of IMET training related to defense articles unless the recipient country shall have first agreed to observe certain conditions with respect to such training. These conditions are:

1. That the recipient government will not, without the consent of the United States Government:

A. Permit any use of such training (including training materials) by anyone not an officer, employee, or agent of the recipient government;

B. Transfer or permit any officer, employee, or agent of the recipient government to transfer such training (including training materials) by gift, sale, or otherwise to anyone not an officer, employee, or agent of the recipient government; or

C. Use or permit the use of such training materials) for purposes other than those for which furnished by the United States Government;

2. That the recipient country will maintain the security of such training (including training materials) and will provide substantially the same degree of security protection afforded to such training and materials by the United States Government.

3. That the recipient country will permit continuous observation and review by, and furnish necessary information to, representatives of the United States Government with regard to the use of such training (including training materials); and that the recipient country will return to the United States Government such training (including training materials) as is no longer needed for the purposes for which furnished, unless the United States Government consents to some other disposition.

Inasmuch as the IMET program with the Government of Trinidad and Tobago may include training related to defense articles, with respect to which the agreement of the Government of Trinidad and Tobago to observe the foregoing conditions is required, the Embassy of the United States of America has the honor to propose that this note, together with the note in reply of the Ministry of External Affairs of the Government of Trinidad and Tobago, shall constitute an agreement between the two governments on this subject, to be effective from the date of the Ministry's note in reply.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of External Affairs of the Republic of Trinidad and Tobago the assurances of its highest consideration.

Embassy of the United States of America,
Port of Spain, December 29, 1983.

AIDE MEMOIRE

Referring to ongoing consultations between Ministry of External Affairs officials and officials of the Embassy of the United States of America concerning the United States International Military Education and Training (IMET) Program, which the Embassy explained in its note no. 183 of December 29, 1983, the Embassy wishes to clarify the phrase in paragraph three of its note which refers to "continuous observation and review" by representatives of the United States Government.

The wording of the IMET agreement is standard and comes from U. S. statute. Nevertheless, it appears that the provision for "continuous" observation and review would be infeasible to implement and should be interpreted as meaning "regular" observation and review. The Embassy assures the Ministry that the intent is not to hamper the training program and that any visit for observation and review would be planned in advance and coordinated with the appropriate Trinidad and Tobago Government and Military authorities. To our knowledge, the actual implementation of this provision has never caused a problem with a recipient government.

Embassy of the United States of America,
Port of Spain, July 11, 1984.

The Ministry of External Affairs of Trinidad and Tobago to the American Embassy

No. 890

The Ministry of External Affairs of the Republic of Trinidad and Tobago presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note No. 183 of 29 December 1983 and its Aide Memoire of 11 July 1984 both of which conveyed an invitation and related information concerning participation by the Government of Trinidad and Tobago in the United States International Military Education and Training Programme (IMET).

The Ministry has the further honour to inform the Embassy that the Government of Trinidad and Tobago is pleased to accept the invitation of the Government of the United States to participate in the IMET programme.

The Ministry wishes to advise the Embassy that in accordance with the Embassy's proposal, this Note and the Embassy's Note 183 of 29 December, 1983 read together with the Embassy's Aide Memoire of 11 July 1984 now constitute an agreement between the two Governments on this subject with effect from 16 November, 1984.

The Ministry of External Affairs of the Republic of Trinidad and Tobago avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

MINISTRY OF EXTERNAL AFFAIRS TRINIDAD AND TOBAGO

Port of Spain, November 16, 1984.